

FORM PTO-1390  
REV. 5-93US DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEYS DOCKET NUMBER

P05,0256

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

**10/542647**INTERNATIONAL APPLICATION NO.  
**PCT/EP2004/001114**INTERNATIONAL FILING DATE  
**06 February 2004**PRIORITY DATE CLAIMED  
**06 February 2003**

## TITLE OF INVENTION:

**"METHOD AND DEVICE FOR CONTROLLING THE TIME AT WHICH THE TONER CONCENTRATION IS MEASURED IN A DEVELOPER  
MIXTURE CONTAINING TONER AND CARRIERS, AND CORRESPONDING PRINTER OR COPIER"**

## APPLICANT(S) FOR DO/EO/US

**Stefan FRANZL, Florian KÖFFERLEIN, Stefan KRIEGER, Peter MÖSTL and Alfred ZOLLNER**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay.
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). **Unexecuted**
10. ☒ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11. to 16. below concern other document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98; (PTO 1449, Prior Art, Search Report).
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.  
A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☒ A substitute specification. **Marked up version of Substitute Specification**
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
  - a. ☐ **Substitute Pages – Three Sheets of Drawings**
  - b. ☐ **EXPRESS MAIL #EV 635785756 US Mailed July 15, 2005.**
  - c. ☐

U. S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>107542647</b>		INTERNATIONAL APPLICATION NO. PCT/EP2004/001114		ATTORNEY'S DOCKET NUMBER P05,0256	
17. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):</b> (Search Report has been prepared by the EPO or JPO) ..... \$1000.00 (Includes National Stage, Search, and Examination Fees)				CALCULATIONS	PTO USE ONLY
				ENTER APPROPRIATE BASIC FEE AMOUNT = <b>\$1000.00</b>	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).					
Claims	Number Filed	Number Extra	Rate		
Total Claims	31-20 =	11	X \$50.00	<b>\$550.00</b>	
Independent Claims	4-3 =	1	X \$200.00	<b>\$200.00</b>	
Multiple Dependent Claims			\$300.00 +		
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$1750.00</b>	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 C.F.R. 1.9, 1.27, 1.28)					
<b>SUBTOTAL =</b>				<b>\$1750.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$00
<b>TOTAL NATIONAL FEE =</b>				<b>\$1750.00</b>	
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property				+	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$1750.00</b>	
				Amount to be refunded	
				charged	

- a. ☒ A check in the amount of **\$1750.00** to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$\_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **501519**. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

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 Patent Department  
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 SIGNATURE

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